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**FACSIMILE TRANSMISSION COVER SHEET**

DATE: May 4, 2005

AUTO QUOTE: 57593

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 15

FROM: Daniel P. Dooley, Registration No. 46,369

TO: Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

| ADDRESSEE/ORGANIZATION | FAX NO.      | TELEPHONE NO. |
|------------------------|--------------|---------------|
| Art Group 2143         | 703/872-9306 | 866/217-9197  |
|                        |              |               |

RE: Application No. 09/964,232  
In re application of: Timothy E. Grib et al.  
Assignee: WITEL COMMUNICATIONS GROUP, INC.  
Dkt. No.: HO-P02393US0

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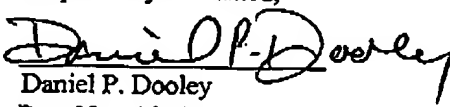
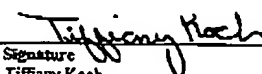
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## TRANSMISSION BY FACSIMILE ON MAY 4, 2005

|  |                                     |                            |  |                                |       |                   |
|--|-------------------------------------|----------------------------|--|--------------------------------|-------|-------------------|
| <b>AMENDMENT TRANSMITTAL LETTER</b>  |                                     |                            | Attorney Docket<br>No:<br>HO-P02393US0   |                                |       |                   |
| Application Serial Number:<br>09/964,232   | Filing Date:<br>9/26/2001           | Examiner:<br>Kyung H. Shin | Art Unit:<br>2143                        |                                |       |                   |
| Invention: Method And Apparatus For Performance Measurement of Different Network Routes Between Devices  |                                     |                            |  |                                |       |                   |
| TO THE COMMISSIONER FOR PATENTS:<br>Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.  |                                     |                            |  |                                |       |                   |
| <b>CLAIMS AS AMENDED</b>   |                                     |                            |  |                                |       |                   |
|  | CLAIMS REMAINING<br>AFTER AMENDMENT |                            | HIGHEST NUMBER<br>PREVIOUSLY PAID<br>FOR | NO. OF EXTRA<br>CLAIMS PRESENT | RATE  | ADDITIONAL<br>FEE |
| TOTAL CLAIMS   | 29                                  | MINUS                      | 29                                       | 0                              | \$50  | \$ 0.00           |
| INDEP. CLAIMS  | 3                                   | MINUS                      | 3  | 0                              | \$200 | \$ 0.00           |
| <u>X</u> Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of <u>1/4/2005</u> to and through <u>5/4/2005</u> , comprising an extension of the shortened statutory period of:  |                                     |                            |  |                                |       |                   |
| <div style="display: flex; justify-content: space-between;"> <div> <u>X</u> one month (\$120.00)<br/>           two months (\$450.00)         </div> <div>           three months (\$1,020.00)<br/>           four months (\$1,590.00)         </div> </div>   |                                     |                            |  |                                |       |                   |
| <b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>   |                                     |                            |  |                                |       |                   |
| <div style="margin-top: 10px;"> <input type="checkbox"/> Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.         </div> <div style="margin-top: 10px;"> <input type="checkbox"/> A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.         </div> <div style="margin-top: 10px;"> <input type="checkbox"/> A check in the amount of \$_____ is attached.         </div> <div style="margin-top: 10px;"> <input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.         </div> <div style="margin-top: 10px;"> <input type="checkbox"/> No additional fee is required.         </div> |                                     |                            |  |                                |       |                   |
| Respectfully submitted,<br><div style="display: flex; justify-content: center; align-items: center;"> <div style="text-align: left; margin-right: 20px;"> <u>5/4/2005</u><br/>Date         </div> <div style="text-align: center;"> <br/>           Daniel P. Dooley<br/>           Reg. No. 46369         </div> </div>   |                                     |                            |  |                                |       |                   |
| CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a)  |                                     |                            |  |                                |       |                   |
| I hereby certify that, on the date shown below, this correspondence is being:  |                                     |                            |  |                                |       |                   |
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| <input type="checkbox"/> Facsimile transmitted to the Patent and Trademark Office, (703) 872-9306.   |                                     |                            |  |                                |       |                   |
| <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div>           Date: <u>May 4, 2005</u> </div> <div style="text-align: center;"> <br/>           Signature<br/>           Tiffany Koch<br/>           (type or print name of person certifying)         </div> </div>   |                                     |                            |  |                                |       |                   |

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TRANSMISSION BY FACSIMILE ON MAY 4, 2005

**PATENT  
DKT. HO-P02393US0****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Timothy E. Grib and Michael A. Brown**  
Assignee: **WITEL COMMUNICATIONS GROUP, INC.**  
Application No.: **09/964,232** Group Art Unit: **2143**  
Filed: **September 26, 2001** Examiner: **Kyung H. Shin**  
For: **METHOD AND APPARATUS FOR PERFORMANCE  
MEASUREMENT OF DIFFERENT NETWORK ROUTES  
BETWEEN DEVICES**

**Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450**

05/05/2005 EKOL11 00000021 09964232  
01 FC:1251 120.00 OP

**RESPONSE TO OFFICE ACTION  
MAILED JANUARY 4, 2005**

Sir:

Please enter the following amendments in the above identified United States patent application.

Amendments to the Specification begin on page 2.

Amendments to and Listing of Claims begin on page 3.

Remarks/Arguments begin on page 8.

Conclusion and Request for Allowance begins on page 12.

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a)**

I hereby certify that, on the date shown below, this correspondence is being:

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Date: May 4, 2005Signature 

Tiffany Koch

(type or print name of person certifying)